

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEITH BRYANT WEBB,	:	CIVIL ACTION NO. 1:06-CV-0778
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
WARDEN TROY WILLIAMSON, ET AL.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 31st day of July, 2006 upon consideration of petitioner's emergency motion to convene a three-judge court (Doc. 21), and it appearing that the caselaw upon which petitioner relies in support of his request does not provide statutory authority to convene a three-judge court¹, it is hereby ORDERED that the motion is DENIED.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹Petitioner references Idlewild Bon Voyage Liquor Corporation v. Bicks, 370 U.S. 713 (1962) and Chlystek v. Kane, 540 F.2d 171 (1976), both of which cite to 28 U.S.C. §§ 2281, 2284, as authority to convene a three-judge court. Section 2281 was repealed in 1976, see Pub.L. 94-381, § 1, Aug 12, 1976, 90 Stat. 1119, and section 2284, which states that "[a] district court of three judges shall be convened when otherwise required by Act of Congress, or when an action is filed challenging the constitutionality of the apportionment of congressional districts or the apportionment of any statewide legislative body," is clearly inapplicable.